

## Article - Public Utilities

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§4–205.

(a) The Commission may set a temporary rate for any public service company that is higher or lower than the rate previously in effect.

(b) The Commission may set a temporary rate after hearing only if the Commission finds that:

(1) pending a final rate proceeding, the rate in force is not a just and reasonable rate; and

(2) the temporary rate is necessary in the interest of justice in view of the length of time that must elapse before a final order may be entered.

(c) If the order involves a temporary rate increase, and refund to the consumer is practicable, the public service company shall post a bond, with security and in an amount that the Commission approves, payable to the State and conditioned to ensure prompt refund with interest to each consumer of each amount received by the public service company from the consumer above the final rates that the Commission sets.

(d) Any temporary change in rate shall equal the amount found by the Commission to be higher or lower than a just and reasonable rate.

(e) (1) The temporary change in rate under subsection (d) of this section shall remain in effect for an initial period of not more than 9 months.

(2) The Commission may order the temporary change to be extended by not more than 3 months.

(f) (1) If the final rate set is higher than the rate set in the order for a temporary rate, the public service company may amortize and recover over a period that the Commission sets, through a temporary increase over the final rate set, the difference between the operating revenue obtained under the order for a temporary rate and the operating revenue that would have been obtained from the same volume of business from the final rate set.

(2) If the rate in the order for a temporary rate is higher than the final rate set, the Commission shall order a refund, charge off, or amortization under § 4-204(c) of this subtitle.

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